

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S Alabama Road, 200' E		
of Dixie Drive	*	DEPUTY ZONING COMMISSIONER
9th Election District		
4th Councilmanic District	*	OF BALTIMORE COUNTY
(400 Alabama Road)		
	*	CASE NO. 02-244-A
Ramona M. & Juergen J. Laue		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Ramona M. and Juergen J. Laue. The variance request is for property located at 400 Alabama Road in the Towson area of Baltimore County. The variance request is from Section 1B01.2.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an enclosed addition with a side yard setback of 5 ft. in lieu of the required minimum setback of 10 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

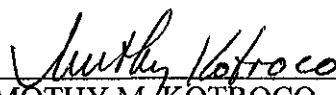
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

2/16/02
 R. J. J.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of February, 2002, that a variance from Section 1B01.2.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an enclosed addition with a side yard setback of 5 ft. in lieu of the required minimum setback of 10 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

2/7/02
R. J. Jenson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 7, 2002

Mr. & Mrs. Juergen J. Laue
400 Alabama Road
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No. 02-244-A
Property: 400 Alabama Road

Dear Mr. & Mrs. Laue:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco". The signature is written in a cursive style with a large, stylized "T" and "K".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 400 ALABAMA RD, 21204
which is presently zoned D.R.S.S

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3C.1.

TO PERMIT AN ENCLOSED ADDITION WITH A SIDE YARD SETBACK
OF 5 FEET IN LIEU OF THE REQUIRED MINIMUM SETBACK OF
10 FEET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

RAMONA M. LAUE
Name - Type or Print _____

[Signature]
Signature _____

BERGEN J. LAUE
Name - Type or Print _____

[Signature]
Signature _____

400 ALABAMA ROAD 410-832-9984 home
Address _____ Telephone No. _____

TOWSON MARYLAND 21204
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, It is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 02-244-A

Reviewed By D. THOMPSON Date 12/10/01

Estimated Posting Date 12/23/01

276
2001/11/15/98
B

Affidavit in Support of Administrative Variance

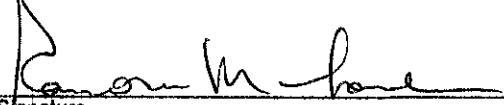
The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

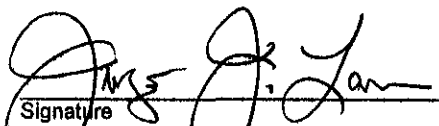
That the Affiant(s) does/do presently reside at 400 ALABAMA ROAD
Address
TOWSON MARYLAND 21204
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We respectfully request an Administrative Variance from the 10 foot Setback Requirements. Based on the current positioning of our house on the property the only feasible place for an addition is to the side/rear of the house. We are planning a 2 Story addition that will measure 15' x 30'; this would put us within 5' of the property line. Adjoining neighbors would be minimally impacted by the addition because their houses are 72' and 71' from the property line.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


Signature
RAMONA M. LAUE
Name - Type or Print


Signature
JURGEN J. LAUE
Name - Type or Print

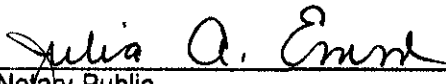
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26th day of November, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ramona M. Laue & Jurgen J. Laue
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

11/26/01
Date


Notary Public
My Commission Expires 3/1/05

ZONING DESCRIPTION

400 Alabama Road
Towson, MD 21204

BEGINNING FOR THE SAME on the North side of Alabama Road at the division line between Lots Nos. 21 and 22 of Block No. 3 as shown on the Plat of Southland Hills recorded among the Plat records of Baltimore County in Plat Book WPC No. 8 folio 56 and running thence along said division line North 43 degrees 14 minutes 23 seconds East 146.01 feet, thence south 78 degrees 09 minutes East 75.21 feet to the division line between Lots Nos. 19 and 20 as shown on the aforesaid plat and running thence along said division line South 11 degrees 51 minutes West 125 feet to the north side of Alabama Road and running thence North 78 degrees 09 minutes West 151.26 feet to the place of beginning.

BEING Lots Nos. 20 and 21 in Block 3 on said Plat.

The improvements thereon being known as No. 400 Alabama Road.

RYLAND

No. 08187

ACCOUNT

R0010066150

AMOUNT \$

50 00

REGEN LAUE

Adm. VARIANCE

TAKEN IN BY

#344 D. THOMPSON

OW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL

12/10/2001 12/10/2001

TIME

REG 4805 CASHIER REGS LRB DRYMER

>> RECEIPT # 230322

Dept 5 528 ZONING VERIFICATION

CR NO. 009187

OFFL

Receipt Tot

50.00

OR

Baltimore County, Maryland

50.00

OR

CASHIER'S VALIDATION

RE: Case No.: 02-244-APetitioner/Developer: LAVEJERGAN - LAVE, ETALDate of Hearing/Closing: 1/7/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens GEORGE ZAHNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #400 ALABAMA RD.
(TOWSON)

The sign(s) were posted on 12/20/01
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 12/30/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)

# of pages	Date	From	To	Co.	Phone #	Fax #
	7671		Robin			877-3468
			Co. Dept.			
			Phone #			
			Fax #			



02-244-A
#400 ALABAMA RD

LAVE

CL 1/7/02

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 244 -AAddress 400 ALABAMA RD, 21204Contact Person: DONNA THOMPSON
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12/10/01Posting Date: 12/23/01Closing Date: 01/07/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMATCase Number 02- 244 -AAddress 400 ALABAMA RD, 21204Petitioner's Name RAMONA M. + J. VERGENT LAUETelephone 410-832-9984Posting Date: 12/23/01Closing Date: 01/07/02

Wording for Sign: To Permit AN ENCLOSED ADDITION WITH A SIDE YARD SETBACK
OF 5 FEET IN LIEU OF THE REQUIRED MINIMUM OF 10 FEET.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 24, 2002

Ramona M & Juergen J Lane
400 Alabama Road
Towson MD 21204

Dear Mr. & Mrs. Lane:

RE: Case Number: 02-244-A, 400 Alabama Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 10, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures


c: People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** February 7, 2002

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 22, 2002
Item Nos. 241, 242, 243, 244, 245,
247, 248, 249, 250, 253, 254, 255,
256, 257, 258, 259, and 260

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:IJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 23, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 14 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

078, 241, 242, 243, (244) 245, 246, 247, 248, 249, 250, 252,
253, 254, 256, 257, 258, 259, 260, and 262


REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd Taylor 

DATE: February 13, 2002

SUBJECT: NO COMMENTS FOR ZONING ITEMS:

78, 243, (244), 245, 247, 249, 251, 253, 254, 257, 259

Zoning Advisory Committee Meeting of January 14, 2002

AV
1/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 5, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

FEB -- 5

SUBJECT: Zoning Advisory Petition(s): **Case(s) 02-244**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.18.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 244

DT

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

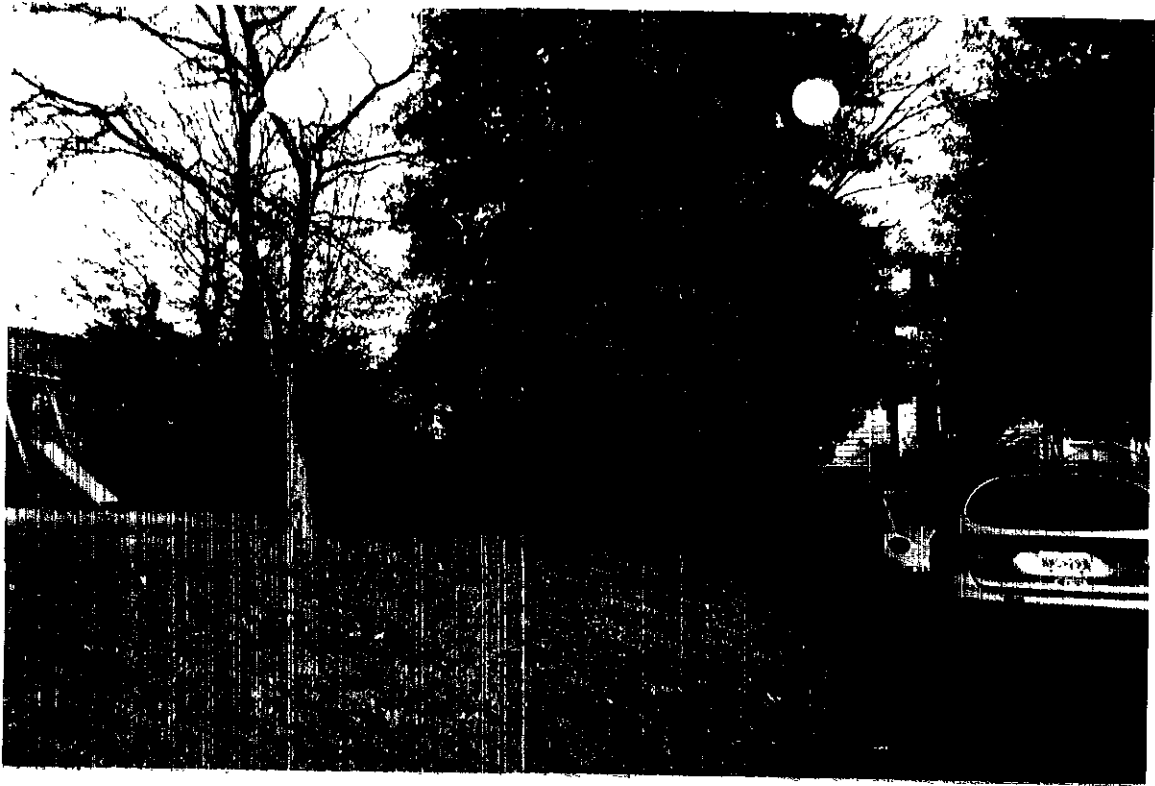
Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202







PLAT TO ACCOMPANY PETITION FOR ADMINISTRATIVE VARIANCE

PROPERTY ADDRESS: 400 ALABAMA RD., 21204

SUBDIVISION NAME: SOUTHLAND HILLS

PLAT BOOK: 8

FOLIO: 56

LOTS: #20 - #21

LOCATION INFORMATION

ELECTION DISTRICT: 9th

COUNCILMANIC DISTRICT: 4th

1" = 200' SCALE MAP#: NE 10A

ZONING: D.R. 5.5

LOT SIZE:

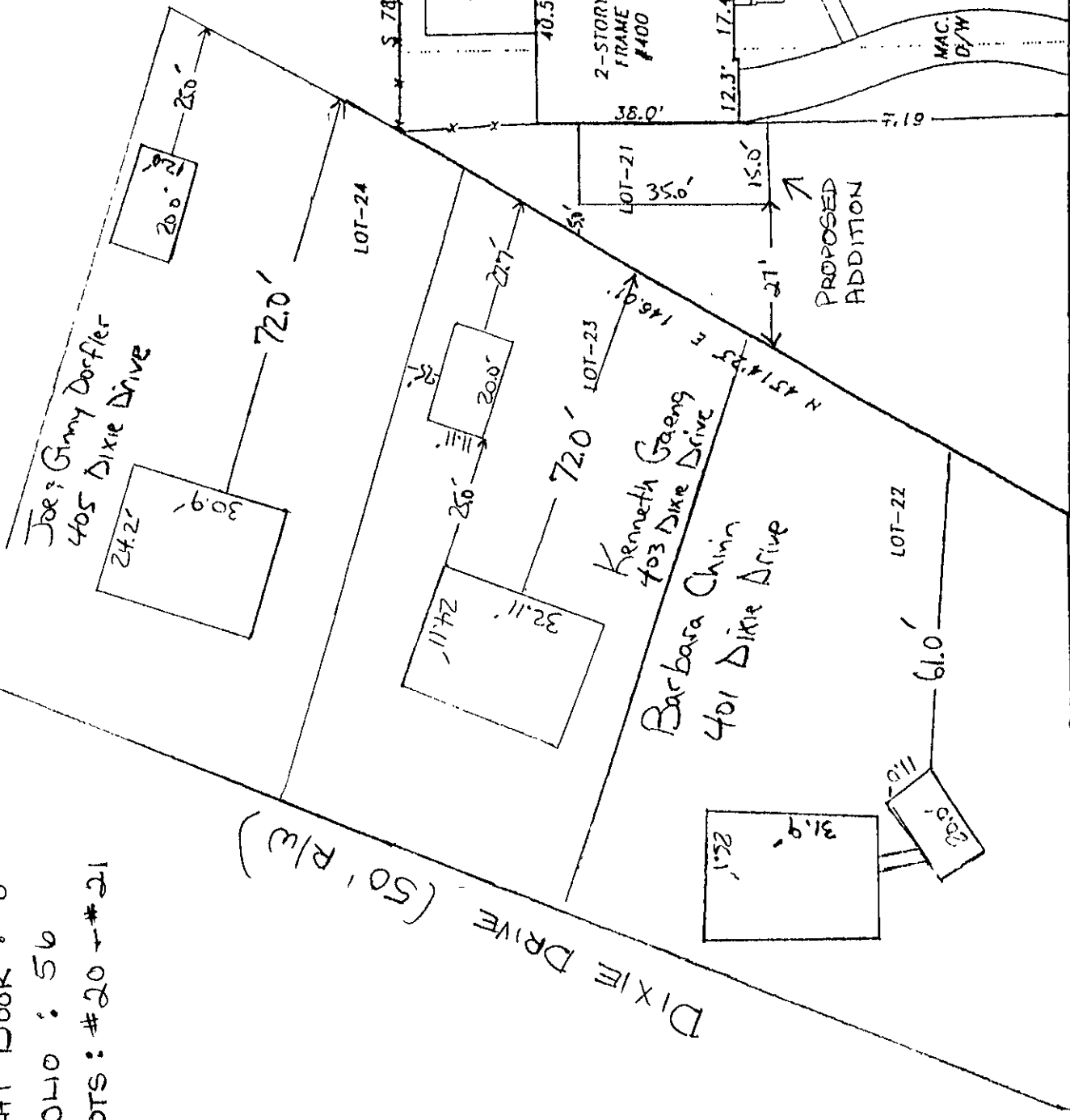
15,255 SQUARE FEET

PUBLIC SEWER + WATER

NOT IN CHESAPEAKE

DAY CRITICAL AREA

NO PRIOR ZONING HEARINGS



Vicinity Map 1" = 500'

ALABAMA ROAD 20.0'

ALABAMA COURT

Alabama Road

1" = 30 FEET

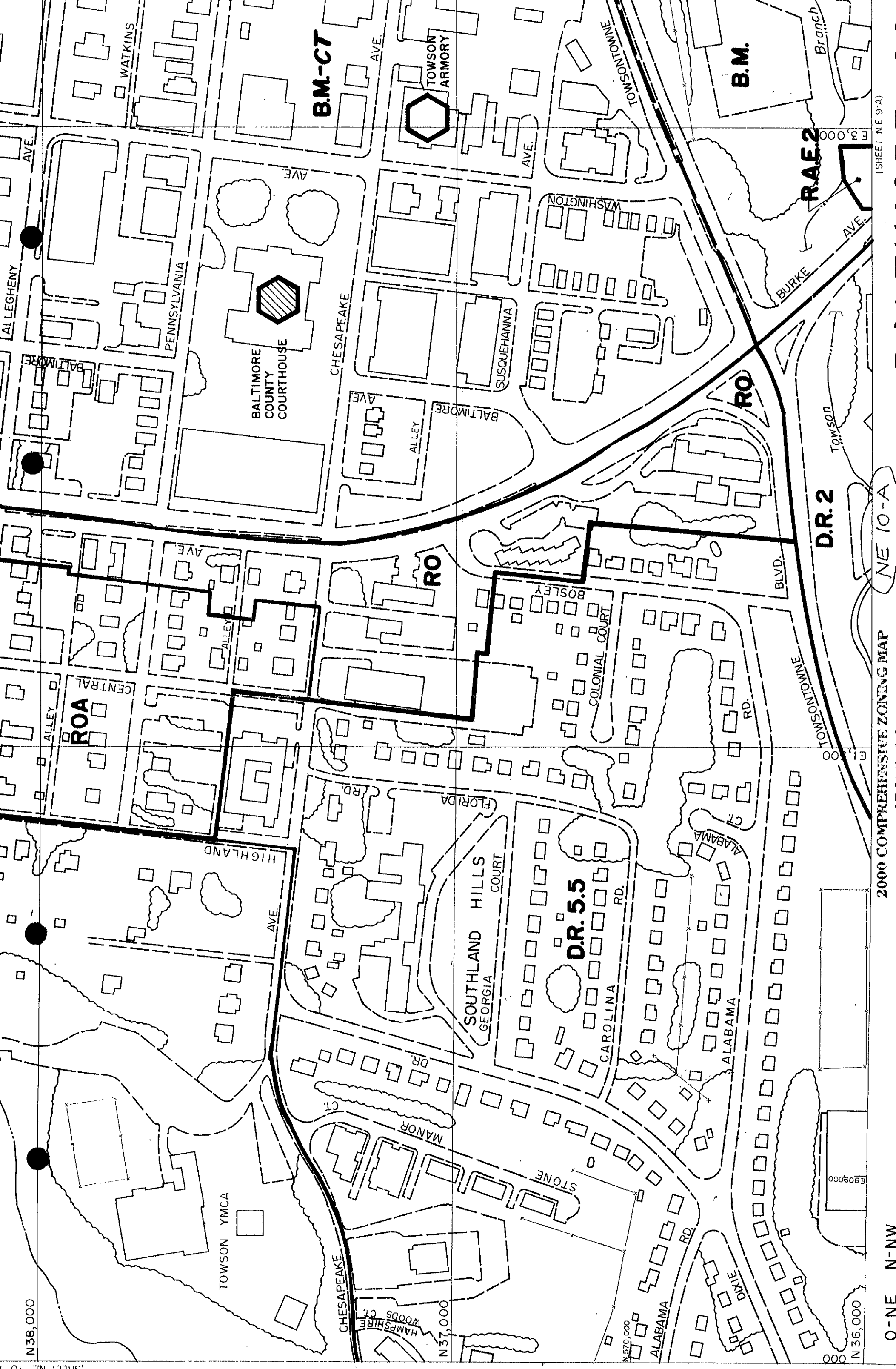
PREPARED: JUERGEN LAUE

REVIEWED BY: DONNA THOMPSON

ITEM # 244

CASE # 02-244-A

Rel. 9.4. #1



N 38,000

N 37,000

N 570,000

N 36,000

E 909,000

E 1,500

E 3,000

O-NE N-NW

2000 COMPREHENSIVE ZONING MAP

NE 10-A

(SHEET NE 9-A)